

All CSC Kits are collected from the hospital by the Officer assigned to the case. Once the officer takes possession of the kit, it is then turned into Evidence. Evidence will log the kit in the agency's system. The kit will then be taken to SLED for forensic processing.

Once the kit is returned to the agency, the CSC Kit is kept until after the offender is released from a prison sentence. After the offender's release, the kit is destroyed.

The agency collected 5 CSC Kits in 2018. Two of these were determined to be unfounded and false information was given to police. Those two were immediately destroyed. Three kits were taken to SLED for processing. The turnaround time for SLED to process these kits is around two years. During this time, SLED is contacted multiple times regarding the analysis.

STANDARD OPERATING PROCEDURE
SOP #012 - EVIDENCE AND PROPERTY

REVISION NO: _____ STANDARDS As Noted _____ DATE: 04/07/2015

OBJECTIVE: To establish criteria for the collection, processing, storage, and disposal of evidence and property.

POLICY: It is the policy of the Chesterfield County Sheriff's Office (CCSO) to establish and maintain a system of control over property and evidence. This system is designed to ensure continuity and consistency in the safekeeping of property and evidence and to meet the requirements of the judicial system.

SCOPE: All members and employees of this Department shall be governed by the procedures set forth below.

I. EVIDENCE AND PROPERTY ROOM AND RELATED FACILITIES: [S.84.1.2]

- A. Evidence and Property Room: Located within the Investigated Division (Old Armory); the primary storage facility for items of evidence and other property impounded. The Evidence and Property Room is a permanent holding facility. Do not impound property unless necessary.
- B. Evidence and Property Lockers: Located within the Investigated Division (Old Armory) ; contains lockers which accommodate items of evidence or property impounded by officers. [S.84.1.3]
- C. Records/Evidence Manager's Office: The Records/Evidence Manager shall maintain an office within the Evidence and Property Room that is in the vicinity of the Evidence and Property lockers.
- D. Bicycle and Large Object: Located within the grounds of the Investigated Division (Old Armory); is the impound area used for the storage of bicycles and other items too large to be placed in the Evidence and Property lockers. Bicycles and other large items are to be placed in the impound yard, tagged until it can be placed in the evidence cage or a secured area within the impound yard. [S.84.1.2]
- E. Personnel Responsible for the Evidence Room and Related Facilities:
 - 1. The Sheriff and/or his designee shall be responsible to inspect and oversee the property and evidence management process.
 - 2. The Records/Evidence Manager shall have responsibility for control of property and evidence management.
 - 3. The Records/Evidence personnel shall be responsible for the daily maintenance and handling of property.
 - 4. The key holders for the Evidence room are:
Sheriff and/or his designee
Records/Property Personnel

II. EVIDENCE GATHERING PROCEDURES: [S.42.2.1,c]

A. Definitions:

- 1. Evidence Includes: Physical evidence such as lost, recovered and/or abandoned property. Instruments of a crime (pry bar, slim-jim, lock puller); fruits of a crime (recovered stolen property); weapons (guns, knives); contraband (narcotics, gambling materials, illicit liquor); and forensic materials (fingerprint cards, photographs).

2. Crime Scene: The location where the crime occurred or where the indication of the crime exists. It covers, in part, the area where the crime was committed and any portion of the surrounding area over, or through which the suspect(s) or victim(s) passed en route to, or going away from the scene of the crime.

B. General:

1. An Incident report will be written detailing the circumstances by which the property came into the CCSO's possession. Each item will be described in the narrative section of the Incident report and on the CCSO Property Receipt. All paperwork(Evidence Submittal form) and property is to be turned in by the end of the officer's shift. [S.84.1.1,a] [S.84.1.1,c]
2. The initial responding officer shall take all necessary steps to secure the scene, render first aid, and protect the crime scene in order to prevent evidence from being contaminated, destroyed, or removed. In the event the crime is a serious felony (i.e., homicide, home invasion, armed robbery, arson, criminal sexual conduct, etc.), the officer will take immediate steps to notify a supervisor who shall respond. [S.83.2.1] [S.83.2.7,a]
3. Evaluation of the scene should be conducted by the initial responding officer or supervisor to determine if one or more of the following individuals are needed to process the scene: [S.83.2.7,a]
 - a. Additional Officers.
 - b. CID Detective.
 - c. SLED crime scene specialist for the collection of evidence.
 - d. Other specialists as needed approved by the Sheriff and/or his designee.
4. The initial responding officer shall only relinquish control of the scene at the instruction of the appropriate supervisor, upon the arrival of the assigned lead investigator who shall assume the responsibility for the scene and conduct the activities of all support personnel.
5. The assigned lead investigator/officer shall designate to an officer the responsibility of making appropriate notations of all persons entering into major crime scenes.
6. An established call out list for notification and response of a detective for major crime scenes is available. [S.83.1.1]
7. The detective(s) and/or officer(s), upon evaluation of the scene, shall determine what evidence is required to be sent to the crime lab in a timely manner. The officer or detective(s) will properly collect and preserve all evidence, while maintaining the chain of custody, and place same into evidence at the CCSO. It is the responsibility of the Records/Evidence personnel to arrange and deliver the evidence to the appropriate laboratory for processing. [S.83.3.2,a]
8. Absolutely no perishable food items are to be placed in Property. If evidence is necessary, photos shall be used.
9. Staples: The practice of using staples to close evidence bags and affix property receipts creates risk for all personnel who must handle evidence packages. Staples frequently cause small cuts, providing an entry point for infectious diseases.
 - a. DO NOT STAPLE a property receipt to the evidence bag or use staples to seal property.
 - b. The red evidence tape or other type of sealing tape shall be used to seal property.
10. All evidence must be sealed, except for large items such as bicycles, tires, rims, etc

11. All sealed evidence must be initialed on the heat seal or on the evidence tape.
12. Batteries shall be removed from all items.

C. Collection of Latent Fingerprints: [§.83.2.3]

1. All UPD (Uniformed Patrol Division) and CID (Criminal Investigative Division) officers have Department issued fingerprint kits and a guidebook for the collection of latent fingerprints at crime scenes. All recovered latent prints are to be treated as evidence.
2. The following general guidelines will be followed when processing a crime scene for latent prints:
 - a. Make sure the brush is clean. Roll the handle of the brush between your palms to separate the bristles.
 - b. Shake the powder container to loosen the powder. Apply the powder *lightly* to the print, following the contour lines of the ridges to bring out the details.
 - c. Remove all excess powder.
 - d. Latent impressions developed with fingerprint powder should be photographed on the original object. After being photographed, prints will be lifted with the provided tape.
 - e. The lifted print is to be placed on a card recording the officer's name, case number and a brief explanation of source of print (i.e. passenger door handle, rear bathroom window, wallet found on floorboard of vehicle).
 - f. Wet items bearing latent prints, such as beer cans or glasses having condensation on their surfaces, or automobiles covered with rain, dew, etc., should first be allowed to dry under normal conditions. Heat lamps or artificial heat from any source should not be used.
 - g. Visible prints subject to destruction under conditions of normal processing should be photographed before extraordinary measures are taken to further develop or collect them.
 - h. Should the process of physically lifting a print from the surface of an item subject the print to alteration or destruction, it is recommended that the fingerprint tape be left attached to the item and the print photographed before the item is removed from the scene and processed further.
 - i. Items believed to be covered with latent prints, which fail to develop under normal processing methods, should be packaged to protect their surfaces in order that other methods may be utilized (i.e. fuming).
 - j. Those officers trained in advance evidence processing techniques will process those items placed into the Evidence Room for such purpose.

D. Photographing, Video Graphing, Diagramming, or Sketching the Crime Scene or Traffic Collision: [§.83.2.2]

1. All UPD and CID officers have been assigned a digital camera to assist in the documenting of crime and traffic collision scenes. The assigned officer and/or detective(s) shall be responsible for the photographing, video graphing, diagramming, and sketching of the scene, as deemed necessary. In the event of a major crime scene or traffic collision involving a homicide or serious injuries, the Sheriff and/or his designee should be notified and the on-call investigator will be called to respond and process the scene.
2. Unless exigent circumstances dictate otherwise, officers should initially start photographing a crime scene or serious traffic collision from a wide angle to give an overall shot of the crime scene, working methodically in a circular manner and closing the circle as additional photos are taken until the close up shots are obtained.

3. A measuring device, such as a ruler, may be utilized to show proportional sizing of an object being photographed.
4. A video camera is available in the Criminal Investigations Division. In exigent circumstances, an officer may utilize their in-car video system to document portions of a crime scene (which includes a traffic accident scene).
 - a. Collected videos will be properly labeled with the case number and submitted into Property with a property receipt.

5. Photo, Video, Sketch Evidence Submittal:

- a. Digitally collected photos will be attached as part of the Sheriff Pak file and/or submitted into Records as part of the master case file or copied to a disc that is properly labeled with the case number and submitted into Evidence with a property receipt.

- b. Crime Scene Sketches:

When crime scene sketches are drawn pursuant to the collection and preservation of evidence, they will contain the following information:

1. Dimensions.
2. Address (including floor or room number as appropriate).
3. Location of significant features of the scene (including the victim).
4. Date and time of preparation.
5. Name(s) of person(s) preparing the sketch.
6. Direction of North.
7. Location of items of physical evidence recovered.
8. Report number.

E. At-Scene Impounding Procedures: [§.83.2.1]

1. At any major crime scene, such as a homicide, no evidence shall be disturbed in any way until the at-scene investigation by a detective is complete and impoundment is authorized. Evidence, including weapons, shall be moved only if there is a significant danger that it will be lost or stolen. If the evidence must be moved for this reason, officers shall note the location and position of each item of evidence moved, and photograph, whenever possible, prior to removal.
2. Officers must request a teletype check of all items with serial numbers and note in the incident report.
3. Unless otherwise noted, evidence will be secured in plastic or paper evidence bags and/or containers. The plastic evidence bags will be heat sealed and the paper bags and containers sealed with evidence tape. The evidence bags and/or containers will be either marked and/or tagged for identification with the date, the officer's name, and the case number. Bags, tags and labels are located in the bag and tag room. Large items, (i.e., bicycles, tires, rims, etc.) are not usually sealed; they are either marked or tagged. Items should be marked so as not to damage or contaminate the evidence. [§.84.1.1,d] [§.83.2.1]
4. Officers shall complete a property receipt at the scene. [§.83.2.1]
5. The officer must sign the property receipt as the impounding officer. Note: Officers taking custody of property or evidence, and returning the property to the owner on scene, or to a detective, shall complete a property receipt at the scene, releasing it back to the owner or turning the evidence over to a detective.
6. Paperwork Evidence: All paperwork evidence, whether the original or a copy, must be

listed in the narrative section of the Incident report or on the property receipt, then placed in evidence.

F. At-Scene Evidence Records: [§.83.2.1]

1. To maintain a chain of evidence for prosecution and court, all items collected, seized, or received at the initial crime scene will be recorded on a Chesterfield County Sheriff's Office Property Receipt. All items will be marked and packaged or placed in an appropriate container(s). The container or package will be sealed or labeled to prevent tampering or unauthorized access. [§.84.1.1,d]
2. Mandatory Listing of Evidence: For all items of evidence, a property receipt form shall be completed containing the following information. [§.83.2.1] [§.84.1.1,c]
 - a. Description of the item (including make, model number, serial number and color).
 - b. Source (from whom or location where obtained).
 - c. Name and ID# of person collecting the items.
 - d. Other information as requested on the property receipt.
 - e. Case Number.
3. Documentation: Each officer involved in the processing of a crime scene or traffic collision scene shall document his/her actions on the appropriate report form giving an accurate record of events that transpired. This report shall include: [§.83.2.6]
 - a. Date and time of arrival at the scene.
 - b. Location of the crime.
 - c. Name of the victim, if known.
 - d. Name of suspect, if known.
 - e. Actions taken at the scene.
 - f. Case file number.
 - g. Evidence disposition.
4. Upon the initiating of any photographing or video graphing of a scene, a written sign will be used, and will include the following information: date, time, location, case number, and photographer/investigator. [§.83.2.2]
5. Each time transfer of custody of physical evidence takes place, the following information will be included on the property receipt: [§.42.2.1,c] [§.83.2.1] [§.83.3.2,c] [§.83.3.2,d]
 - a. Date and time of transfer.
 - b. Releasing person's name.
 - c. Receiving person's name.
 - d. Reason for transfer.
 - e. When transferred to a laboratory, the following information is required:
 - 1) Name of officer last having custody. [§.83.3.2,a]
 - 2) Date and time of submission/mailling, and method used for transmission
 - 3) Date and time of receipt in lab.
 - 4) Name/signature of person in the laboratory receiving the evidence.

G. Impounding items in Evidence Room for the South Carolina Law Enforcement Division (SLED) Crime Lab and/or any other lab:

1. Submission of blood or fingerprints for comparison:
 - a. When an officer impounds items to be secured in the evidence room prior to being transported to the SLED Crime Lab, those items for the lab shall be listed on a separate SLED Lab Forensic services (ILab) request form document stating what analysis needs to be done. A copy of the incident report must accompany all submissions to SLED. [§.83.3.2,c]

- b. Once collected, perishable evidence such as dried blood, blood stained objects, other physiological stains and tissue, and biological material should be placed in

a refrigerated evidence storage unit pending referral to the crime laboratory. Whole blood (liquid) samples should not be frozen, but refrigerated. [S.83.3.2,b]

- c. Evidence items, pending the collection of comparison samples, will be submitted to the SLED crime lab to be stored by them until the comparison sample has been obtained. The officer submitting the item into storage, or assigned the case follow-up, will monitor the continued disposition of the item. [S.83.3.1]

- d. SLED will send an analysis report after the evidence is processed.

2. Narcotic Analysis:

Any illegal contraband or drugs requiring analysis by the SLED Drug Analysis Laboratory must be placed in a sealed Best Bags evidence bag. Within the envelope is all of the necessary paperwork that must accompany the analysis request. [S.83.3.2,c] [S.83.3.2,d]

- 3. The officer(s) shall transport all evidence to the Sheriff's office. No evidence shall remain in an officer's possession longer than his/her tour of duty. In the event of an emergency or other event that prevents an officer from delivering the property to the evidence lockers or garage cages, the officer will notify their supervisor. The supervisor or the designated officer will accept the inventoried evidence by signing the property receipt from the originating officer and placing it in the evidence lockers. [S.84.1.1,a][S.84.1.1,b]

- 4. Written reports of findings are supplied by SLED to verify analysis. Whoever receives the written analysis will forward the original report to Records/Evidence personnel and a copy to the reporting officer. The Records/Evidence personnel will also forward a copy to the assigned investigator. [S.83.3.2,e]

H. Chain of Custody:

When officers impound evidence, they shall deliver the item(s) to the evidence lockers in the bag and tag room. If there are no empty property and evidence lockers, and it is after hours, the Records/Evidence personnel or the on-call Command officer will be contacted to respond.

1. Property and Evidence Lockers:

- a. The evidence and accompanying property receipt will be placed into a locker and the door will be secured by the lock(s) provided. DO NOT STAPLE OR TAPE property receipts to impounded items.

- b. Perishable evidence (blood, urine, etc.) will be placed in the refrigerated locker located in the bag and tag room. The property receipt will be placed in an evidence locker and secured.

- 1) When selecting a locker for evidence, choose the one nearest in size to the object(s) being impounded to allow larger lockers to remain available for larger items.

- 2) If Records/Evidence personnel are not available and the evidence to be placed in evidence is of great value, one of the below listed personnel shall be contacted to properly secure the evidence or arrange for storage. Great value is defined as: large amounts of money, expensive jewelry, large quantities of narcotics, and bales of marijuana that will not fit in lockers but still require better security. [S.84.1.1,e]

- a) Sheriff
- b) Command Staff

3. Impound Location:

- a. Vehicles or vessels that are secured as part of a crime scene and/or evidence will be towed to a secure impound yard. Those items will be directly monitored until they are processed.
- b. Vehicles or vessels secured as part of a crime scene or because of evidentiary value will be covered with car covers and yellow crime scene tape in an attempt to maintain and preserve evidentiary value.
- c. Car covers will be stored in the Criminal Investigation Unit.

I. Reception and Storage:

Records/Property personnel responsibilities:

- 1. Remove the evidence from the lockers. Ensure that all property receipts and other necessary forms are present.
- 2. Check the property receipts for accuracy and completeness. IF THE INFORMATION IS INCORRECT OR INCOMPLETE, OR THE EVIDENCE IS UNSEALED, DO NOT ACCEPT THE EVIDENCE. Return it to the locker, notify the Sheriff and/or his designee, and complete the Evidence Correction form. If the Evidence Correction form is not returned within five working days, the second notice will be sent to the impounding officer's immediate supervisor. The officer's immediate supervisor shall ensure corrections are completed.

J. Special Evidence Handling:

- 1. Items requiring added protection, e.g., jewelry, weapons, controlled substances, money, and precious metals and stones shall be placed in separate, locked, secured areas within the Evidence room. [S.84.1.1,e]
- 2. Anyone who comes into contact with what appears to be a large amount of money (more than \$5,000) shall immediately notify their supervisor. If the immediate supervisor is not available (off-duty), etc., the on-call Command Officer shall immediately be notified.
- 3. Bio-Hazardous Evidence: [S.83.2.7,b] [S.83.3.2,b]

All Chesterfield County Sheriff's Office officers are authorized to collect DNA evidence and will familiarize themselves with the collection techniques detailed below. [S.83.2.7,c]

- a. Bio-hazardous evidence is any evidence containing blood or body fluids, or any physical evidence stained or contaminated by blood or body fluids. All personnel will wear plastic gloves every time they process or collect at a scene where they may come into contact with bio-hazardous material.
- b. All evidence of this type is presumed to be hazardous and will be handled accordingly. The collecting officer must be cognizant of cross contamination when collecting evidence from different locations within a scene and should change their personal protection equipment if they suspect it has been contaminated. This should be noted in the incident report.
- c. Recognizing the risks involved, members/employees shall minimize impounding blood or body fluid stained property. If not needed for trial evidence, this type of property shall be released to the owner whenever possible.
- d. Liquid Bio-Hazardous Evidence: Blood samples, vaginal aspirate, urine, miscellaneous body fluids, etc., will be packaged according to the South Carolina Law Enforcement Division Evidence Submission Manual (a copy can be found in

the evidence processing room): [S.83.2.7,d] [S.83.3.2,b][S.84.1.1,d]

- 1) When possible, all liquid bio-hazardous evidence will be submitted to the SLED Crime Lab or the BCSO Crime Lab for examination and DNA analysis if required. After hours the liquid bio-evidence will be stored in the provided locked refrigerated storage unit until the next working day. [S.83.3.2,b] [S.83.2.7,d]
- 2) Liquid samples shall be submitted in glass tubes.
- 3) Each glass tube shall be enclosed in a crushproof plastic tube.
- 4) All samples from a single case shall be sealed in a standard paper evidence bag. Sealed plastic bags or blister packs are unsafe and will not be accepted.
- 5) A "Bio-Hazardous Evidence" label shall be affixed to both sides of the evidence bag, and to the first copy of the CCSO Property Receipt. Individual glass and plastic tubes shall not be labeled.

e. Clothing Stained by Biological Fluids Shall be Submitted as Follows: [S.83.2.7,b]

- 1) Impounding of stained items not needed for trial evidence shall be avoided whenever possible. These items shall be released to the victim or other responsible parties at the scene.
- 2) Stained and/or wet clothing shall be submitted to the SLED in a dry condition. Wet evidence must be placed in the drying tank located in the CCSO Lab. Blood-stained clothing should be placed in the drying tank located in the CCSO Lab, then folded in such a manner that stains are not transferred to other areas of the garment. A clean piece of non-printed paper should be placed between layers of clothing in order to prevent cross-contamination. If wet evidence is impounded, the on-call detective will be contacted for assistance. [S.83.2.7,c]
- 3) Every effort should be made to keep suspect and victim clothing samples separate from each other in order to prevent cross-contamination.
- 4) Stained clothing shall be submitted to the SLED Crime Lab in either a standard paper evidence bag or cardboard box. [S.83.2.7,b]
- 5) Bio-Hazardous evidence labels shall be affixed to both sides of the bag/box and to the first copy of the CCSO Property Receipt.

f. A clean razor blade should be used to remove dried crusts of blood from an object. New razor blades or scraping implements should be used when the source of the blood stain is believed to have changed. Razor blades or scraping implements used in the collection of blood stains should be packaged with its respective blood sample. [S.83.2.7,b]

g. Small, dry stains which cannot be scraped off may be removed by wiping the surface with a sterile swab moistened with distilled water. The swab should then be placed in a cardboard swab container and forwarded for analysis as soon as possible. Whenever possible, a sample of the unstained surface material near the recovered blood stain should be removed and packaged separately, then submitted for analysis with its companion sample. [S.83.3.2,b] [S.83.2.7,b]

h. Moist blood samples may be collected with an eye dropper and placed in a glass tube. Trace quantities of moist blood which cannot otherwise be collected should be left to dry, then scraped from the surface.

i. Where blood has been submitted to a laboratory for examination and/or DNA analysis, victim and suspect blood samples (if possible) should be included. Blood samples should be obtained by the appropriate health care personnel pursuant to approved medical practices. [S.83.2.7,b]

- j. Seminal Stains should be treated much like blood samples. Clothing, bed linens, etc., should be folded, layered with paper, and/or packaged separately in order to prevent cross-contamination. Added precautions should be taken where stains have dried and are subject to cracking and dislodging if disturbed by folding or packaging. Linens should be marked to show the position in which they were found (head, foot, side up, etc.).
- k. Trace Evidence is material which, because of its minute size, is easily exchanged through contact or transferred by air current. The clothing of suspect(s) and/or victim(s) is a prime accumulator of trace evidence and should be collected as soon as possible. When collecting clothing from a person, that person should first stand on a clean piece of non-printed paper. As each item is removed, it should be carefully folded and packaged separately. The paper should then be folded and submitted for analysis with the collected items.
- l. Threads, Fibers, and Hairs should be handled with tweezers or forceps. As in the case of most kinds of evidence, control samples should be collected and submitted for comparison. When hair samples are collected from a live victim or suspect, they should be taken from different areas of the body, including the crown, temple, beard, arm, pubic, and leg areas. Hairs, threads, and fibers should be packaged in clean, dry containers such as envelopes, pill boxes, etc. A new comb, clean tweezers, or scissors should be used to further prevent contamination of samples during the collection process. [S.83.2.1] [S.83.2.7,b]
- m. Oral Swabs may be used to collect DNA samples. Cotton tipped swabs are dragged along the inside mouth cheek of an individual and then placed in a cardboard swab container labeled with the appropriate information. [S.83.2.7,b]
- n. Sharp Objects: Sharp objects pose special risks to everyone in the chain of evidence, and shall be submitted as follows: [S.84.1.1,d]
 - 1) Syringes and Needles:
 - a) All syringes and needles are presumed to be bio-hazardous and shall be handled accordingly.
 - b) Syringes and needles shall be packaged in crushproof plastic tubes provided by the Records/Evidence personnel or patrol sergeant. [S.83.3.2,b]
 - c) No attempt shall be made to make the needle safe or unusable. Resheathing, cutting or bending a needle, or removing a needle from a syringe, exposes the officer to significant risk of injury, and offers little or no protective benefit.
 - d) Needles shall be inserted sharp end first into the plastic tube, and the screw cap shall be firmly tightened.
 - e) Bio-Hazardous Evidence labels shall NOT be affixed to the plastic tubes because to do so would obstruct the view of the needle.
 - f) The plastic tubes containing the needle or syringe shall be packaged in a sealed plastic evidence bag and Bio-Hazardous Evidence labels shall be affixed to both sides of the bag and to the first copy of the CCSO Property Receipt.
 - 2) Knives and Sharp Objects:
 - a) Knives and other sharp objects shall have cutting edges/points covered by cardboard or layers of heavy paper (i.e., folded paper bag). Warning labels shall be affixed to both sides of the bag or package and to the Property Receipts.
 - b) If the item is stained with suspected biological fluids, Bio-Hazardous Evidence labels shall be affixed to both sides of the package and to the first copy of the CCSO Property Receipt.

4. Explosives and Flammable Liquids: No explosives (including firecrackers) or flammable liquids shall be placed in the Evidence Room or anywhere in the Police Building. Firecrackers are exempt only by written authorization by the Sheriff and/or his designee during special occasions i.e. 4th of July, News Years Eve, etc.
 - a. If explosives are needed for evidence, photographs of the items shall be taken by the officer or detective and the explosives shall be turned over to SLED for disposal.
 - b. If small quantities of small firecrackers are impounded, the officer shall photograph them, soak them in water, and destroy while wet.
 - c. Ammunition is not considered an explosive and will be placed in the Evidence Room only if needed as evidence. If not required as evidence, ammunition is not maintained in the Evidence Room, it shall not be returned to owners, and shall be disposed of properly.
 - d. If Flammable Liquids are needed for evidence, the officer shall photograph the containers in the condition in which they are seized. An evidence sample of no more than three (3) ounces of the liquid shall be poured off into a small clean glass container which can be sealed tight (e.g., thoroughly washed baby food jar). The original container which held the flammable liquid shall then be washed and completely ventilated, then stored in the Evidence Room.
 - e. The sealed evidence sample shall be marked, "Suspected flammable liquid" and placed in a large metal container marked, "Suspected flammable liquid." The metal container will be sent to the SLED.
 - f. SLED will test for the nature of the flammable liquid (gasoline, kerosene, etc.) and will conduct comparison tests in theft cases. For comparisons, submit two (2) samples: one (1) from the source and one (1) from the suspect's possession clearly labeled.
 - g. These samples of flammable liquids will be returned to the CCSO as per normal evidence procedures. They shall be retained for trial. Such returned samples shall be stored in the Evidence Room.

5. Firearms and Weapons: All weapons of any type acquired from individuals in connection with official duties shall be properly marked for identification and placed in the Evidence Room and held until properly disposed. Members and employees are prohibited from possessing such weapons for personal reasons or attempting to acquire them for personal possession.
 - a. Before handling firearms required for evidence, the following should be noted: position of the hammer, position of slide mechanism (automatic), and position of safety. If handling is required to determine the firearm's condition, it should be picked up by the edge of the trigger guard or textured finish of the handle which would not ordinarily retain an identifiable print. The make, model, serial number, caliber, and other descriptive information should be recorded.
 - b. Damaged or rusty weapons should be handled with extreme caution. If a gun cannot be checked or unloaded, it should be impounded and placed in a firearm box and clearly marked "**Loaded Firearm**" after a supervisor's approval and an attempt in making the gun safe. A Property Receipt shall be securely affixed to the outside of the box stating the intended disposition of the firearm.
 - c. An evidentiary firearm should not be cleaned. Blood and other substances adhering to the gun should be left intact for laboratory examination.
 - d. Firearms retained for evidentiary purposes should be placed in a gun box for evidence with the investigating officer's initials.
 - e. Loaded handguns which cannot be handled due to crime scene consideration will be secured in an evidence box and clearly marked: "**Loaded Firearm – Crime Scene**".
 - f. Loaded Firearm: In cases when a loaded firearm is recovered and can be unloaded, all ammunition shall be unloaded from the weapon prior to removal from the scene. Ammunition shall be placed in a separate sealed envelope and turned in with the firearm. All firearms must be secured in a proper sized firearm

box. Revolvers shall be placed in the box with their cylinders open. Semi-automatic and automatic weapons shall be placed in the box with their actions open. Bolt action weapons shall have their bolts open or removed. Breech loading weapons shall be "broken open." All weapons will be made safe by inserting a zip tie or flexcuff, or provided tie wrap, through the cylinder, action, bolt, or barrel and secured. Clip/magazine fed weapons shall have all rounds removed from the clips/magazines. Clips/magazines, ammunition, and weapons shall be separated but placed in the same locker. When unloading a firearm, the following should be noted: condition of ammunition beneath the firing pin, position of fired/ unfired ammunition, number of rounds left in the magazine, and whether or not a round is in the chamber.

- g. Officers recovering firearms with which they are unfamiliar, or for which they do not know the unloading procedure, shall contact a supervisor for assistance in making the weapon safe.
- h. If Records/Evidence personnel discover any other loaded firearm in the Evidence Locker, the weapon shall be left as is and a supervisor shall be called to the Evidence Room. The supervisor shall unload the weapon and shall direct the officer(s) who impounded the weapon to submit a memorandum and a photocopy of the property receipt detailing why a loaded weapon was turned in.
- i. Impounding personnel must have queried all firearm serial numbers prior to placing in the Evidence Locker or with Records/Evidence personnel.
- j. These procedures shall apply to weapons whether classed as "evidence" or "property."
- k. If the firearm was used in a commission of a crime, all fired casing evidence, recovered from the crime scene, as well as all semi-automatic and automatic firearms, impounded by the Chesterfield County Sheriff's Office, will be sent to the SLED Crime Laboratory for entry into the I.B.I.S. Computer, (Integrated Ballistic Information System).
- l. The words "Enter into I.B.I.S." printed on the SLED Laboratory Forensic Services Request will ensure that casing evidence as well as impounded firearms will be entered into the I.B.I.S. computer, and searched against open shooting related crimes. If additional analysis is requested, please indicate this on the SLED Laboratory Forensic Services Request.
- m. Firearms impounded as the result of an arrest for criminal domestic violence may not be released without a court order, when the case is disposed of.

6. Controlled Substances:

All suspect narcotics, marijuana and other controlled substances, and all drug paraphernalia impounded by officers of the CCSO shall be transported to the Chesterfield County Sheriff's Office, counted, weighed, field tested where possible, and sealed (with tape and initialed) to prevent unauthorized tampering prior to being stored in the Evidence Room. [S.84.1.1,e]

7. Latent Fingerprints: [S.83.2.3]

Items which contain latent fingerprints will be packaged in such a manner that external conditions will not destroy existing fingerprints or add others. Such items should be handled with either forceps or tongs, or picked up by exerting pressure on neutral/interior surfaces.

8. Perishable Items, i.e., blood samples, urine specimens, shall be stored in the refrigerated locker as provided in the evidence locker area and/or storage room.

9. Seizure of Computer Equipment and Equipment Capable of Storing Data: [S.83.2.5]

Computers may be contraband, fruits of a crime, a tool of the offense or a storage container holding evidence of the offense. Improper handling may cause damage to the device and render it useless. Officers should contact the Criminal Investigations Division and consult with the detective that has been trained in data forensics prior to taking

computer equipment into evidence if possible. SLED should also be consulted. The officer should document step by step the process they utilized when collecting the computer or items capable of storing data.

a. For stand alone (non-networked) computers, cell phones, pagers, PDAs or any electronic devices capable of storing data:

- 1) If the device is "off", do NOT turn "on".
- 2) If the device is "on", and a data or computer specialist is not available, do NOT turn "off".
- 3) Photograph the screen of the device BEFORE disconnect all power sources by unplugging the computer or device first from the wall, then from the back (of the computer).
- 4) Place evidence tape over each drive slot of a computer.
- 5) Photograph/diagram and label back of computer components with existing connections.
- 6) Label all connectors/cables ends to allow reassembly, if necessary.
- 7) Package components as fragile items.
- 8) Keep computer and other electronic devices away from magnets, radio transmitters and other hostile environments.

b. For networked or business computers:

- 1) Consult a data or computer specialist (SLED).
- 2) Pulling the plug could:
 - a) Severely damage the system.
 - b) Disrupt legitimate business.
 - c) Create officer and department liability.
- 3) Collect the computer CPU, monitor, printer, fax, and all disks, tapes, CDs manuals and any other equipment deemed necessary.

K. Lack of Evidence: At a scene of a serious felony where no photographs are taken or physical evidence is not recovered, reasons will be given and documented in the Incident report by the officer or in the assigned lead investigator's written case report.

L. Collection of Known Source Material: As part of the collection process and in order to ensure that the items of physical evidence that are to be submitted for evaluation can be properly analyzed and/or compared, it is mandatory that known source materials and substances be collected whenever they are available. This is of particular importance when body fluids, hair, fiber(s), latent print(s), paint, glass, wood, soil, and other transfer materials are collected. The location of comparison samples in relation to the physical evidence should be documented. [S.83.3.1]

M. Processing of Stolen Recovered Vehicles: If needed by our agency, or if requested by the originating agency, the recovered vehicle will be processed for items of evidentiary value and chain of custody will be maintained. Vehicles impounded for evidentiary purposes will be held only for the amount of time necessary to complete the processing of the vehicle. This will be noted on the tow sheet. Upon completion of the processing, the owner, or owner's designee, will be notified by the originating agency or by the assigned investigator. [S.84.1.1,f]

N. Evidence at Trial: [S.84.1.1,g]

1. Whenever officers are subpoenaed to trial, they shall take all necessary physical evidence with them to court.
2. Any officer who checks evidence out of the Evidence Room for court shall sign the property receipt indicating so.
 - a. If the evidence is retained by the Court, the officer and the Court Clerk shall sign a copy of the property receipt. The form will be returned to Records/Evidence personnel.

3. If the evidence is returned to the Evidence Room, the officer shall indicate the status of the case and instructions for disposition of the evidence along with his signature on the property receipt.
4. Every time any property or evidence is removed from the Evidence Room the transaction is recorded on the property receipt and by Records/Evidence personnel in the computerized Sheriffs Pak (records management system) evidence module.

O. Evidence for Detectives/Officers:

1. Whenever a detective/officer removes evidence for further investigative purposes, they will sign the property receipt indicating so. Any evidence not being transferred to a crime lab or law enforcement facility will be returned to the property room by the end of the detective/officer's shift. No detective or officer will store any property/evidence in their personal desk, locker, vehicle, or home.

P. Controlled Substances Checked out for K-9 Training: [§.84.1.4]

1. K-9 Officers requiring controlled substances for training purposes for their controlled substances detection canines should make such requests to Records/Evidence personnel.
2. Records/Evidence personnel will check for available controlled substances that have been disposed of through court and marked for destruction. A signed training aid form receipt to document the specific samples and the chain of custody will be signed by the K-9 Officer accepting custody of the controlled substances. Records/Evidence personnel will retain the form.
3. Records/Evidence personnel will issue those samplings of controlled substances that have been weighed and sealed.
4. The controlled substances will remain under the control of the K-9 officer for training purposes.
5. Each sampling will be contained in separate containers and placed in the trunk of the K-9 vehicle.
6. Upon completion of the training and within 72 hours of receipt, all of the training samples will be returned to Records/Evidence personnel where they will be reweighed and inventoried.

Q. Disposal of Evidence or Property: [§.84.1.7]

1. After each court date a final docket with all dispositions will be sent to Records/Evidence personnel from the Court. Records/Evidence personnel will locate any property or evidence associated with those case(s) cleared for disposal. The property or evidence will be held for 10 days before disposing to ensure there are no cases of appeal pending.
2. Firearms, Knives, Edged and Exotic Weapons:
 - a. Serial numbers of each firearm shall be queried by the Communications Center prior to disposal.
 - b. An inventory of firearms shall be taken by Records/Evidence personnel and verified prior to disposal.
 - c. The date and method of disposal shall be listed in records.
3. Narcotics, Drugs, Accessories:
 - a. Any found controlled substances impounded and marked on the Property Receipt for disposal by the impounding officer shall be sealed, initialed and marked with the case number.
 - b. Small items shall be placed in an envelope, sealed, initialed, marked with the case number, and placed in an Evidence Room locker.
4. Other Items: All other items of evidence cleared for disposal shall be assessed by

Records/Evidence personnel to determine whether they have any useful value.

- a. Those items of no value shall be destroyed and the fact noted on the property receipt.
- b. Employees/members shall submit a memorandum when requesting items that may be transferred for CCSO use.

III. LOST / ABANDONED PROPERTY IMPOUNDING PROCEDURES: [§.84.1.7]

A. Lost or Abandoned Personal Property: South Carolina Code of Laws 27-21-20 governs the handling of lost or abandoned property which is impounded on public property.

1. "Lost Property" means all tangible property which does not have an identifiable owner and which has been mislaid on public property, upon a public conveyance, on premises used at the time for business purposes, or in parks, places of amusement, public recreation areas, or other places open to the public in a substantially operable, functioning condition, or which has an apparent intrinsic value to the rightful owner.
2. "Abandoned Property" means all tangible property which does not have an identifiable owner and which has been disposed of on public property in a wrecked, inoperative, or partially dismantled condition, or which has no apparent intrinsic value to the rightful owner.
3. When an officer finds lost or abandoned property on public property, or when an individual delivers such property to an officer, the officer shall:
 - a. Determine whether the article fits the meaning of "abandoned" or "lost" property and indicate "abandoned" or "lost" on the property receipt. "Found" will not be used to indicate property status on the property receipt.
 - b. Determine whether an individual wishes to make a claim on an item classed as "lost" and that individual is the finder and document the information in the Incident report.
 - c. Advise the finder wishing to make a claim that he/she must wait 60 days before claiming property.
 - d. The impounding officer shall make a reasonable attempt to ascertain the rightful owner, or lien-holder, and return the property. [§.84.1.1,f]
4. Title to Abandoned Property:
 - a. Title to the abandoned property is vested to the finder upon the expiration of the 60-day custodial time period.
 - b. If no finder is involved, the Chesterfield County Sheriff's Office may dispose of certain property after 60 days by donation to a charitable and not for profit organization.
5. Title to Lost, Stolen, Recovered Property:
 - a. Impounding officer of lost property shall make a reasonable attempt to ascertain the rightful owner and return the property.
 - b. The CCSO will maintain custody for 60 days.
 - c. For unclaimed property with a value of more than \$1,000 a notice may be posted in local newspapers with a description of the property in a manner reasonably adequate to permit the rightful owner of the property to claim it.
6. Unclaimed Evidence: May be disposed of 10 days after court disposition.

B. Disposition of Property:

1. Property is released between the hours of 0830 and 1600, Monday through Thursday.
2. Individuals retrieving property must present:

- a. Photo identification.
 - b. Proof of ownership.
 - c. A notarized letter or power of attorney from the property owner (required from anyone other than the owner who is retrieving the property).
3. Items with written HOLD ORDERS shall not be released without the authorization of the officer placing the hold or the Sheriff and/or his designee.
 4. Records/Evidence personnel shall attempt notification of property owners by return/receipt mailing, telephone, or e-mail and documenting same. [S.84.1.1,f]

IV. PROPERTY ROOM INVENTORY:

A. Physical Inventories/Audits/Inspections:

1. Unannounced inspections of the Evidence Room shall be conducted annually by the Sheriff and/or his designee. This inspection is to determine adherence to procedures used for control of property. Results will be documented and forwarded to the Sheriff for review and comments. Any corrective / remedial action that is needed will be determined by the Sheriff. [S.84.1.6,d]
2. An annual audit of property shall be conducted by the Sheriff and/or his designee not routinely or directly connected with control of property and evidence as assigned by the Sheriff. Results will be documented and forwarded to the Sheriff for review and comments. Any corrective / remedial action that is needed will be determined by the Sheriff. [S.84.1.6,e]
3. An inventory of property occurs whenever the person responsible for the property and evidence control function is assigned to and/or transferred from the position, and is conducted jointly by the newly designated property custodian and the Sheriff and/or his designee to ensure that records are correct and properly annotated. [S.84.1.6,b]
4. If an item cannot be accounted for, the Sheriff will be notified in writing, via chain of command, of the discrepancy. A police report shall be written to document any missing property.

- B. The Sheriff and/or his designee shall semi-annually inspect the Evidence Room operations and facility to determine adherence to procedures. Results will be documented and forwarded to the Sheriff for review and comments. Any corrective / remedial action that is needed will be determined by the Sheriff. [S.84.1.6,a]

- C. Records/Evidence personnel will maintain a records system both manual and computerized that reflects the status of all property held by the agency, to include: [S.82.3.2,c] [S.84.1.5]

1. Location of property (property room, garage evidence cages, or parking lot, etc.).
2. Date and time when property was received or released.
3. Character, type, and amount of property on hand.
4. Chain of custody from the time the property was stored until destruction or other final disposition.

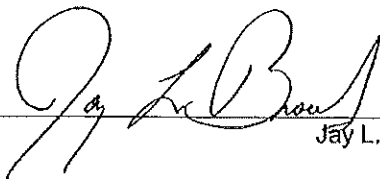
V. THE CHESTERFIELD COUNTY SHERIFF'S OFFICE PROPERTY RECEIPT:

Whenever an officer impounds any physical evidence, contraband, or lost or abandoned property, he/she shall complete a CCSO Property Receipt.

- A. The Patrol Officer shall forward the white copy to Records/Evidence personnel for filing.
- B. When the evidence or property has been disposed, the final disposition shall be noted on the property receipt with the signatures of the person making the disposal. [S.84.1.1,g]
- C. If evidence or property is removed from the Evidence Room for court, for the Crime Lab, or for

investigation, officers shall sign for the evidence or property and write the reason in the proper space. [S.84.1.1,g]

- D. After final disposition of any evidence or property, both the white copy of the Chesterfield County Sheriff's Office Property Receipt with all related paperwork attached, shall be placed in the evidence room binder marked "disposed/released property" and documented in SHERIFFS PAK data base. [S.84.1.1,g]
- E. The impounding officer or assigned investigator is responsible for the final disposition of the impounded property if no court disposition is forthcoming.



Jay L. Brooks, Sheriff

4-7-15

Date

STANDARD OPERATING PROCEDURE
SOP# 023 - CRIMINAL INVESTIGATIONS

REVISION NO: _____ **STANDARD NO:** As Noted **DATE:** 04/07/2015

OBJECTIVE: To establish criteria for conducting criminal investigations; to specify accountability for conducting preliminary and follow-up criminal investigations; to establish investigative continuity; and to establish a system of case file maintenance for criminal investigations.

POLICY: It is the policy of the Chesterfield County Sheriff's Office (CCSO) to identify acceptable practices and methods utilized during criminal investigations. Further, it is the policy of this Department to utilize uniformed officers during most preliminary investigations and then transfer the investigative responsibility to a CID. The preliminary investigation may be sufficient to bring the case to a satisfactory conclusion, thus precluding the need for a follow-up investigation. [S.42.1.4]

SCOPE: All members and employees of this Department shall be governed by the procedures set forth below.

I. CRIMINAL INVESTIGATION FUNCTION:

It will be the function of the Criminal Investigations Division (CID) to provide administrative and operational programs that result in efficient and effective criminal investigations. The role and responsibility of the CID is to conduct preliminary, follow-up, and special investigations. Included within this process is the objective of establishing an information base of criminal activity encompassing the identification and apprehension of offenders.

II. ADMINISTRATION:

- A. The sworn positions in the CID will be the same rank as those officers assigned to the Uniform Patrol Division (UPD). Detectives will be the same rank as officers.
- B. The Criminal Investigations Division is composed of:
 - 1. Detectives
 - 2. Narcotics
- C. CID personnel are assigned to be available 24 hours a day, on a rotating basis to assist or investigate any incident or crime that requires the expertise of a detective. The on-call duty roster is maintained by the CID Commander and emailed to all CCSO employees. [S.42.1.1]

III. CASE ASSIGNMENT:

- A. Within each area of investigation, cases are assigned to detectives who best match the specific skill, knowledge, and experience required to successfully complete the investigation. Examples of these are: conveyance crimes, fire investigation, assault/battery, business and residential burglaries/thefts, career criminal, child abuse, crime scenes, dignitary protection, fraud and forgery, juvenile delinquency and dependency problems, missing persons, polygraphs, robbery, special operations, sex-related crimes, stolen property/secondhand dealers, thefts, domestic violence, etc. [S.42.1.4]

- B. To accomplish the investigative assignment process, all reported cases are collected by CID Commander and/or his designee from the Records Management System (RMS). The CID Commander and/or his designee processes and reviews the cases for distribution to the appropriate detective to investigate the case. [S.42.1.3,a]
- C. The CID Commander and/or his designee will record the detective assigned, date assigned, case number, and case status in the RMS. [S.42.1.3,a]
- D. Each detective is responsible to maintain complete and up-to-date investigative files on assigned cases. These include, but are not limited to: [S.42.1.3,c]
 - 1. Preliminary reports.
 - 2. Records of statements.
 - 3. Results of examinations of physical evidence.
 - 4. Case status reports (supplements).
 - 5. Other reports and records needed for investigative purposes.
- E. As a general rule, most cases should be closed within 60 days. The CID Commander shall inspect cases that exceed this limit to determine the status of the investigation. [S.42.1.2]
- F. Detectives who anticipate the need to extend their investigation beyond the time limits or beyond their own resources must check with the CID Commander for approval. The CID Commander will be responsible for reviewing the case and approval of the requested extension. [S.42.1.2]

IV. CASE MANAGEMENT: [S.42.1.2]

- A. The CID Commander and/or his designee evaluates all incoming reports of criminal activity or special information and assigns an administrative category designed to assist in case management or control. Cases are distributed to the appropriate detectives who are responsible for the continued evaluation of cases to determine that appropriate resources are utilized for: [S.42.1.2]
 - 1. Investigative leads.
 - 2. Investigative resources.
 - 3. Relative degree of seriousness.
 - 4. Direct file to the Solicitor's Office.
 - 5. Non-criminal cases.
 - 6. Arrest by the UPD.
- B. Cases will be assigned by the CID Commander and/or his designee based upon one of the following criteria: [S.42.1.2]
 - 1. Documented experiences and research conducted within the agency.
 - 2. Documented experiences and research conducted within other law enforcement agencies.
 - 3. Solvability factors (i.e., suspect known, suspect has been seen and may be identified, subject vehicle was seen and may be later identified, specific modus operandi unique to a known or unknown suspect, victim wishes to prosecute, presence of physical evidence, ability to recover stolen property that may provide further leads, or the presence of any other evidence which would most likely develop further investigative leads).
- C. Cases will be designated one of the following statuses: [S.42.1.3,b] [S.42.1.2]
 - 1. Active: These cases contain facts which influence the CID Commander and/or

his designee to believe that enough solvability factors exist to support investigative efforts which may lead to the closure of the case.

2. Administratively Closed: The case is not cleared, but is no longer under active investigation.
3. Unfounded: The case was discovered to have been a false or mistaken report, or it occurred in another reporting jurisdiction.
4. Arrested Under 18: When one or more of the subjects arrested is under 18 years of age.
5. Arrested 18 & Older: When all persons arrested in connection with this case are 18 years of age or older.
6. Exceptionally Cleared under 18: If no arrest is going to be made, but at least one offender has been identified and located, and there is sufficient probable cause for an arrest, and there is a reason beyond law enforcement control that an arrest will not be made. See D.
7. Exceptional Cleared: Same as above except all offenders are 18 & over. See D.

D. Reason for Exceptional Clearance:

1. Extradition is declined.
2. Death of the subject.
3. Victim and/or witness refuse to cooperate.
4. Prosecution is refused by the Solicitor's Office.
5. "Juvenile/ no custody." A juvenile is identified as the offender, but is not taken into custody. The case is handled by parents/guardians and law enforcement. There is no custody, apprehension, or referral to family court, etc. (Note: if a juvenile is taken into custody, summoned, petitioned to family court etc., then a Juvenile Arrest Report must be sent to SLED, even if the juvenile is not formally charged or jailed.)
6. An incident cannot be exceptionally cleared unless the subject's race, sex, age, and ethnicity have been identified and documented.

E. Cold Cases: Felony cases that were suspended one year after the initial incident due to lack of information, evidence or victim/witness cooperation that would lead to the identity of the suspect(s) and are re examined for any new information or evidence that would bring closure to the case years later. [S.42.2.9,a]

1. Cold case investigations follow a comprehensive methodology which focuses on the passage of time, changes in personal relationships and technological improvements as criteria to apply to previously unsolved serious felony cases. The CID Commander and/or his designee will review cold case files periodically to determine whether any new information, leads or forensic technical tools have become available to assist in the successful solvability of each case. [S.42.2.9,b]
2. The CID Commander and/or his designee will do a supplemental report in each case file each time it is reviewed for re evaluation. [S.42.2.9,c]

V. CASE FILE MAINTENANCE:

- A. Records of active investigations by CID are to be secured and maintained in the criminal investigation division until such time that the case is closed or suspended. Types of records to be maintained by detectives may include preliminary investigation reports, investigation notes, statements, and any other information pertaining to the assigned

- case. [S.42.1.3,c] [S.82.3.5]
- B. Access to open and active case files will be determined by the CID Commander. Investigator's notes added to any case file while still active and in the records management system (Sheriffs Pak) will remain confidential. Access will be denied to those not specifically designated by the CID Commander. [S.42.1.3,d]
 - C. Annually, each detective will audit his/her case files and remove suspended or closed cases which are not needed for review or court presentation. Manual case files are stored in Records and electronic file are stored in the RMS. Case files will be purged in accordance with the State of South Carolina Records Retention schedule. [S.42.1.3,e]
 - D. Copies of records and pertinent case documents may be maintained by the assigned detective at his/her discretion.

VI. OPERATIONS:

A. General Procedures used in Criminal Investigation:

1. Information development: [S.42.2.1,a]
 - a. While conducting criminal investigations, detectives will develop pertinent information through available resources which may include witnesses, victims, informants, physical evidence, and suspects associated with related investigations and/or known modus operandi.
 - b. The detective will read all police reports pertaining to the case and review the preliminary investigation. The review may include conferences with initial responding officers.
 - c. Detectives will, based on individual case circumstances, thoroughly interview all victims, witnesses, neighbors, reporting parties, and possible suspects. It may be necessary to re-interview individuals. [S.42.2.1,d]
 - d. When appropriate, conduct a search for witnesses (neighborhood canvasses), evidence, victims, or potential suspects that may have been missed during earlier phases of the investigation. [S.42.2.1,b]
 - e. The detective may check other reports for similarities and previous reports made by the victim.
 - f. Suspects may be developed and/or identified through the use of CCSO records and other agency files, field interview cards, or cases having similar modus operandi.
 - g. Contacts with outside support facilities may prove helpful. These facilities may include utility firms, the Motor Vehicle Driver's License Bureau, Department of Corrections, Probation and Parole, etc.
2. The collection, preservation, and use of physical evidence will follow the procedures listed in SOP# 012 - Evidence and Property. [S.42.2.1,c]
3. Surveillance of people involved in a criminal investigation will be conducted in such a manner that bystanders will not be endangered as a result of surveillance operations. Under circumstances where the criminal element is likely to take offensive action against bystanders if surveillance personnel are compromised, such operation will be terminated.
4. Background Investigations: In certain criminal investigations, it is necessary to conduct background investigations of persons suspected to be involved in criminal activities: [S.42.1.6,a]
 - a. The information collected will only be used to further criminal investigations and the targeted investigation.

- b. All records will have limited access and will be distributed to law enforcement agencies only. [S.42.1.6,b]
 - c. Records will be purged per the State of South Carolina Records Retention schedule.
5. To assist the detective in the preparation of an accurate report and to fulfill the requirements of an accurate investigative case, the CID Case Management checklist will be utilized by the detective. [S.42.2.3]

B. Interviewing a Suspect: [S.1.2.3,a] [S.1.2.3,b]

1. Whenever a suspect is established, officers and detectives will represent themselves in a courteous and professional manner and adhere to the applicable laws and practices which govern the interviewing of persons as follows:
 - a. The Constitution of the United States.
 - b. The Bill of Rights.
 - c. South Carolina State Statutes.
 - d. CCSO's Standard Operating Procedures.
2. Officers and detectives shall comply with constitutional requirements during criminal investigations. These requirements shall include the following: [S.1.2.3,c]
 - a. Advise a defendant/suspect of his/her rights, to include right to counsel.
 - b. Obtain confessions or admissions through non-coercion or other legal means.
3. Under no circumstances will interviews be conducted in a coercive manner. [S.1.2.3,b]
4. Unless required by law, officers will not disclose information pertaining to criminal investigations to outside sources other than criminal justice agencies. Public Records request will be coordinated through Records personnel.
5. Whenever a victim, witness, suspect or arrested person is brought to the sheriff's office for an interview the appropriate designated interview room will be utilized when available by sworn personnel. [S.1.2.3,a]
 - a. There is one interview room available to conduct interviews in.
 - 1) Interview Room -- is located at the old armory at the sheriff's office sub-station. This room will be utilized to interview victims, witnesses, or possible suspects not under arrest.
 - b. The primary purpose of this room is to conduct interviews. Upon entering the room the video and audio system will come on automatically. The system allows for viewing at designated computer terminals throughout the building. The following furniture will be in each room:
 - 1) Interview Room -- Four chairs and one table. Additional chairs maybe brought in if necessary to accommodate attorneys, etc.
 - c. Prior to the interview, the room will first be scanned for any potential weapons or objects that could be utilized as a weapon and removed. [S.42.2.10,a] [S.42.2.10,b]
 - d. No weapons are to be brought into an interview room. All weapons are to be secured.
 - e. Interviews of a potential suspect will either be conducted by one detective while a second detective views the proceedings through a

- monitor or accompanies the first detective in the interview room. [S.42.2.10,b]
- f. There should not be more than two (2) sworn members in the interview room while conducting an interview or interrogation of one suspect. [S.42.2.10,c]
- g. A suspect or arrested person shall be interviewed for reasonable periods of time that will include breaks for nourishment and use of toilet facilities. [S.42.2.10,f]
- 1) The suspect or arrested subject will not be left alone unless direct observation through a monitor is conducted by an officer or detective.
- 2) Any food or drink brought into the interview room will only be in plastic cups/bottles, no glass.
- 3) If an individual request to use the bathroom while in the interview room, they will be escorted to the restroom.
- h. All interviews and/or interrogations involving any criminal cases shall be recorded both by audio and video means. [S.1.2.3,b]

C. Polygraphs: [S.42.2.6]

Polygraphs, although not admissible in court, are great investigative tools. Only those law enforcement personnel who have graduated from a school approved by the American Polygraph Association and certified as polygraph examiners by the state of South Carolina Law Enforcement Department (SLED) are authorized to administer polygraphs to suspects. The Chesterfield County Sheriff's Office will utilize SLED and/or authorized investigators to administer polygraphs to suspects or subjects.

1. Polygraphs are not designed or intended to substitute for a thoroughly conducted investigation using other techniques. Polygraph exams will be conducted one a case by case situation. Approved by the CID commander.
2. Any criminal polygraph examination of an individual must be completely voluntary. They may be administered to suspects, victims, and witnesses after a thorough preliminary and follow-up investigation reveal likelihood that the subject to be examined is not being truthful with the detective.
3. Any criminal polygraph examination must be recommended by the detective assigned to the case and approved by the CID Commander prior to such examination. SLED and/or authorized investigators will be contacted requesting an examiner to for the purpose of administering the polygraph exam.
4. The detective must be prepared to explain the facts of the case to the SLED and/or authorized investigators and should be able to suggest specific points to be addressed by the polygraph exam. The detective will assist the polygraph examiner with any questions.
5. Results of any examination will be filed in the case file. The results of the examination will only be released to law enforcement personnel or the Solicitor's Office, unless a court order is received.
6. Detectives are to remember that any information disclosed by way of the polygraph, must be substantiated by other investigative means.

D. Conducting Preliminary and Follow-Up Investigations:

Uniform Patrol Division personnel are responsible for the initial response and for conducting preliminary investigations, i.e., area canvass, processing minor crime scenes. Particularly complex or serious cases may require detective(s) to immediately respond and conduct the preliminary investigation. Officers are authorized to request, through their supervisors, that detectives respond to the scene. Follow-up investigations will be assigned to detectives by the CID Commander. [S.42.1.4]

1. Conducting Preliminary Investigations:

- a. The preliminary investigation may be conducted by UPD and/or CID personnel.
- b. Upon arrival at the scene, the preliminary investigation will begin by the observation of conditions, events, and remarks. [S.42.2.1,a]
- c. The officer and/or detective will locate and identify all available witnesses and complainants, and cause them to be interviewed. [S.42.2.1,b] [S.42.2.1,d]
- d. The officer and/or detective will see that the crime scene and all evidence are protected, and will arrange for the evidence to be collected per CCSO standard operating procedures through the appropriate crime scene person. [S.42.2.1,c]
- e. The officer and/or detective will attempt to identify, and/or interview suspects and/or make an arrest if probable cause exists. [S.42.2.1,d]
- f. A timely, accurate, and full report will be made of the incident/offense.

2. Conducting Follow-Up Investigations:

- a. The following criteria are to be followed in conducting follow-up investigations, to include at a minimum, if necessary:
 - 1) Review and analyze all previous reports prepared in the preliminary phase. [S.42.2.2,a]
 - 2) Conduct additional interviews of victims, witnesses, or subjects. [S.42.2.2,b]
 - 3) Conduct additional interrogations of subject(s). [S.42.2.2,b]
 - 4) Review Departmental records. [S.42.2.2,a]
 - 5) Seek additional information from uniformed officers, informants, or others. [S.42.2.2,c]
 - 6) Review results from laboratory examinations. [S.42.2.2,a]
 - 7) Arrange for dissemination of information as appropriate.
 - 8) Plan, organize, and conduct searches, as appropriate. [S.42.2.2,d]
 - 9) Prepare cases for court presentation. [S.42.2.2,h]
 - 10) Assist in prosecution. [S.42.2.2,h]
 - 11) Identify and apprehend suspects. [S.42.2.2,e]
 - 12) Collect any other relevant, additional physical evidence. [S.42.2.2,d]
 - 13) Investigate any involvement of suspects in other crime or other jurisdictions. [S.42.2.2,f]
 - 14) Check suspects' criminal histories. [S.42.2.2,g]
- b. Follow up detectives will contact their victims or witnesses after the initial report is processed to verify information contained in the original report.
 - 1) Contact will be made by telephone, by mail, or in person. Contact will be made as soon as possible but no later than 10 calendar days from the date of assignment of a case.
 - 2) Detectives will contact victims or witnesses during the investigation to gain new information, to further investigative insight, and to maintain public confidence.
 - 3) Detectives will notify victims once a case has been suspended or closed.
- c. A follow-up detective is assigned as the lead case coordinator for each assigned investigation. As circumstances dictate, additional detectives may be utilized by that lead detective. Those detectives will report all progress on the case to the lead detective by completion of a supplemental report.

E. Conducting Specific Types of Investigations by CID or UPD personnel:

1. Robbery, Burglary, Larceny, Extortion:

- a. Contact victim, confirm original report, and ascertain all additional information.
- b. Locate and interview witnesses. [S.42.2.1,b]
- c. Canvass neighborhood for additional witnesses. [S.42.2.1,b]
- d. Check victim and witnesses through local indexes and obtain criminal histories that are available, if applicable.
- e. Ascertain physical evidence gathered and request evaluation, analysis, and submit name(s) of suspect(s) or active suspects in the area to the area departments. Send any and all items to SLED crime lab in cases which have latent value. [S.42.2.1,c]
- f. Publish description of stolen property when applicable.
- g. Interview suspects; attempt to obtain photos and prints. [S.42.2.1,d]
- h. When applicable, conduct a photo lineup.
- i. Follow up all investigative leads.
- j. If investigation has revealed the identity of the perpetrator, the detective will arrest the subject or obtain an arrest warrant.
- k. Prepare reports promptly throughout the investigation.

2. Morals and Sex Crimes:

- a. Contact complainant or victim. The first contact with the complainant or victim is of vital importance. The detective should be extremely sensitive when speaking with the victim but still be able to emphasize the need for cooperation to successfully handle the investigation. [S.42.2.1,d]
- b. Initial Investigation:
 - 1) Interview the victim and ascertain the nature of the offense.
 - 2) Ascertain if the subject is known to the victim. Obtain a complete description of the subject and a description of the vehicle, if one was used.
 - 3) With victim's consent, if any type of penetration is alleged, it will be necessary to have the victim examined by a physician at any of the area hospitals. The hospital emergency room is to be contacted first so they can be prepared for the arrival of the victim. A rape kit is to be provided to the medical personnel.
 - 4) If the victim is a juvenile, the juvenile should be taken to area hospital that provides pediatric cares.
 - 5) Photographs will be taken of injuries and non injuries. [S.42.2.1,c]
- c. Follow-up Investigation:
 - 1) Obtain examining physician's written medical report.
 - 2) Interview victim in detail and obtain formal statement.
 - a) If there is a doubt clearly justified by the facts of the case as to the veracity of the victim's complaint, the victim may be offered the opportunity for a polygraph examination.
 - b) Obtain any past reports of similar incidents.
 - 3) If the victim is a juvenile, it is preferable that the interview be conducted by forensic specialist, such as Care House.

- a) Interview the parents and obtain formal statements.
 - b) Contact the Department of Social Services if the subject is in a custodial care position with or ready access to the victim.
 - c) Obtain any past reports of similar incidents.
 - d) Inform the parents of the investigative procedures involved in prosecution.
- 4) Interview the witnesses and obtain formal statements.
 - 5) If there is a doubt in the detective's mind as to the credibility of the victim's testimony, due to conflicting elements, a conference should be scheduled with the Solicitor's Office prior to making an arrest of the alleged offender.
 - 6) Arrange for warrants and formal charging of the subject.
 - 7) Interview and take formal statements from the subject, if possible.

3. Assault/Battery:

- a. Contact victim, confirm report, and ascertain condition. If victim is critical or has suffered trauma which may result in death, notify On-Call Command officer immediately.
- b. Evaluate physical evidence. Have pictures taken of the victim and crime scene where applicable.
- c. Interview witnesses.
- d. After identification of the subject has been determined, file charges and make arrest

4. Child Abuse:

- a. Contact complainant and/or confirm original report and ascertain what occurred.
- b. Photographs must be taken to document the physical condition of the victim.
- c. If victim is injured, dispatch to hospital immediately.
- d. Locate and interview witnesses, neighbors, and relatives.
- e. Contact and advise Department of Social Services.
- f. Check Records Section and hospital for history of child.
- g. After identification of subject has been ascertained, obtain statement from the subject, when possible. Obtain an arrest warrant and seek the subject.

5. Identity Theft Crime: [§.42.2.8]

Identify theft is a crime of theft that is on the rise and has a long term effect on its victims. Officers need to be familiar with the two state statutes that addresses identify theft:

South Carolina State Statute §16-13-510 "Financial Identity Fraud" and "Identifying Information" addresses the theft of the victim's financial resources by obtaining information which would assist in accessing the victim's financial records and resources.

South Carolina State Statute §16-13-515 addresses the theft of the victim's identity for the purpose of obtaining employment.

Sworn personnel responding to an investigation of identity theft shall:

- a. Contact complainant and/or confirm original report information. [§.42.2.8,a]

- b. Record all the victim's credit card accounts, bank accounts, and documents that have been compromised by this crime on the incident/offense report form. [S.42.2.8,b]
 - c. Provide the complainant with the federal government identity theft brochure and advise them to contact the three major credit bureaus to place a fraud alert on their credit report. (Equifax 1-800-525-6285, Experian 1-888-397-3742 and TransUnion Corp 1-800-680-7289) [S.42.2.8,c]
 - d. Coordinate with other agencies either in person or with bulletins and provide case information to aid in the detection of similar incidents in the area. [S.42.2.8,d]
 - 1) If the victim's personal information was used in another jurisdiction, the law enforcement agency in that area will be notified of the victim's identity theft and a report forwarded to them. The Chesterfield County Sheriff's Office will assist in identifying the subject.
 - 2) If a pattern or trend is identified, the information will be passed onto surrounding law enforcement agencies and provide case information to aid in the detection of similar incidents in the area.
 - e. Identity theft information brochures will be provided to the public at the station and distributed to victims by officers investigating identity theft crimes. [S.42.2.8,e]
- F. The CID Commander and/or his designee will be responsible to see that an accurate and up-to-date on-call schedule of detectives is provided to Communications Center personnel. Detectives are on-call 24/7. [S.42.1.1]
- G. On an as needed basis, the CID and the UPD will forward pertinent information to each other for dissemination (roll call readings/weekly briefing meetings/postings on bulletin board). [S.12.1.4]

VII. SUSPICIOUS DEATH SCENES:

A. Death Scene:

- 1. When arriving at scenes of homicides as a result of violence, suicides, non-traffic accidents, or unattended deaths, or scenes where death appears imminent, the Uniform Patrol Division (UPD) officer will notify the UPD shift supervisor and the on-call Command Officer.
- 2. The on-call Command Officer will contact the CID on-call investigator and the Chesterfield County Coroner. [S.41.2.4]
- 3. If there is a reasonable suspicion that a criminal act may have occurred to expedite the death of the victim, or the death does not appear to be natural (age, confirmed terminal illness, etc...) the Coroner's office will be contacted and briefed by the UPD supervisor.
- 4. The UPD officer will immediately secure the scene and await the arrival of the Coroner and a CID detective. UPD officers will remain at the scene to assist investigators until properly relieved.
- 5. All appropriate reports will be completed at the scene. Follow-up investigations as to disposition of cases will be conducted by CID detectives.
- 6. SLED Crime Scene Team is available to process scenes if needed.

B. Death Notification: [S.55.2.6]

See SOP #019 – Uniform Patrol Division Functions and Responsibilities

VIII. INVESTIGATIVE TASK FORCES: [S.42.2.5]

- A. A task force will be formed to accomplish a specific purpose. A task force may be formed to investigate criminal sexual conduct, robberies, burglaries, or any other major crime when: [S.42.2.5,a]
 - 1. An investigation requires more resources than are normally available from an individual unit or agency.
 - 2. A series of major crimes has occurred which crossed the boundaries of multiple jurisdictions.
 - 3. A crime problem is so extensive or wide spread that a large scale police operation with specific objectives is required.
- B. The use of a task force and any written agreements, (i.e. mutual aid, interagency) will be approved by the Sheriff and/or his designee. [S.42.2.5,b]
- C. The CID Commander and/or his designee will be accountable to the Sheriff for the overall operation of the task force.
- D. The Sheriff will have supervisory control over the task force and assigned personnel and will establish a task force chain of command. [S.42.2.5,b]
- E. The responsibilities of personnel assigned to the task force will be to: [S.42.2.5,b]
 - 1. Review and analyze all relevant reports and documents.
 - 2. Conduct surveillance, stake outs, and any other necessary field activities.
 - 3. Interview all victims, witnesses, and suspects.
 - 4. Make arrests and prepare all appropriate reports.
- F. The resources available to a task force include:
 - 1. Data from the Crime Analyst and state and federal agencies.
 - 2. Electronic surveillance equipment.
 - 3. Covert vehicles.
 - 4. Additional staffing from other units and/or agencies.
- G. If a task force includes members from other agencies, the task force supervisor shall advise the other agency members of the chain of command and the task force objectives, as well as their individual duties and responsibilities.
- H. Any task force results will be evaluated by the task force supervisor within 72 hours of its inception. The task force supervisor will make a recommendation to the CID Commander about whether the task force should continue or be disbanded. [S.42.2.5,c]

IX. USE OF INFORMANTS:

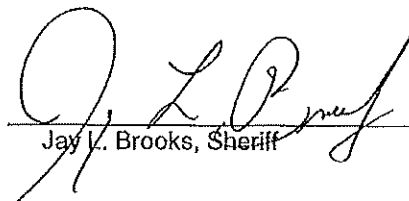
- A. Confidential Informants (CIs): Informants are a basic weapon in the fight against drugs, vice and organized crime and are a judicially recognized source of information. An informant's motivation must be carefully evaluated to determine the extent of information reliability.
1. Information on informants is maintained in by the CID Commander in a secured and separate master file and contains:
 - a. The Confidential Informant's Report which contains general biographical and background information on the subject and includes a record of any criminal history and, in certain instances, a code name or number.
 - b. A Confidential Informant Agreement which details the conditions in which informants will assist in the police function.
 - c. A photographic record of the subject.
 - d. Photo static copies of the informant's verifiable identification.
 2. Disclosure of an informant's identity shall be avoided, even if no prior agreements of confidentiality were made:
 - a. The informant's confidentiality shall be thoroughly discussed with the Solicitor's Office prior to the case being tried.
 - b. When disclosure of an informant's identity in a case may adversely affect the outcome of a more significant case or investigation, the officer may recommend the case be dismissed after discussion with the prosecutor and the officer's supervisor.
 - c. When the question of disclosure of an informant's identity arises at trial, the officer should request time to confer with the prosecutor.
- A. Prior to an arranged meeting, all necessary steps shall be taken to protect the identity and provide for the safety of the informant.
- C. In general, the conduct of the informant is supervised by the lead detective who is responsible for instructing the informant to:
1. Be aware of the legal aspects of entrapment.
 2. Properly document each and every contact with suspected violators.
 3. Obtain relevant background information on the suspected violator.
 4. Pass on all case-relevant information to the lead detective.
- D. Detectives will follow these guidelines:
1. Personal meetings with informants will be by at least two investigators unless pre-approved by the unit supervisor especially if the informant is the opposite gender of the detectives.
 2. All informants will be properly documented.
 3. Prior to using any CI documented by another agency, contact of that agency will be made.
 4. Special precautions to be taken with juvenile informants:
 - a. Juveniles will not be used without prior approval of the CID Commander.
 - b. Legal approval will be obtained from the Solicitor's Office prior to using the juvenile.
 - c. The parent or legal guardian of the juvenile will be officially contacted

prior to using the juvenile.

5. Personal relationships with CIs are prohibited in order to protect the integrity of the detectives/investigations.

X. VIP/DIGNITARY PROTECTION: [S.46.2.6]

- A. VIP/Dignitary Definition: A very important person, dignitary, famous personality, notorious person or any other person in need of special security.
- B. Request for Protection: When a request for protection is received, it will be forwarded through the chain of command to the Sheriff.
- C. Responsibility/Assignment:
 1. The Sheriff and/or his designee shall assign the responsibility for the VIP/dignitary protection.
 2. The Sheriff and/or his designee will be in charge of the actual protection detail.
 3. The Sheriff and/or his designee will act as liaison between CCSO and other municipal, county, state, and federal agencies which are involved in a cooperative VIP protection detail. This would include coordination and supervision of the overall detail, including staffing needs, special vehicles, bomb squad, police motorcycle officers, K-9, body armor, fire rescue, medical facilities and lapel pin badge or other identification system.
 4. The Sheriff and/or his designee will initiate intelligence gathering activities to further the protection of the VIP(s) and make preliminary inspections of questionable sites and structures along travel routes.
 5. A plan will be formulated for alternate routes should they become necessary and arrangements for such will be facilitated by the Sheriff and/or his designee.
- D. Radio Communications: The Sheriff and/or his designee will ensure proper radio communication between the CCSO and outside agency personnel. Information will be disseminated to all personnel involved in the detail regarding communication procedures and channels to be used. During incidents involving multiple agencies plain language will be used. [S.46.2.6]


Jay L. Brooks, Sheriff

4-7-15
Date